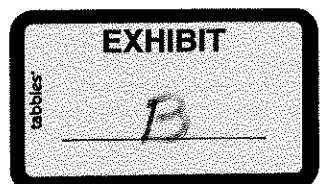


ADDENDUM A**APPELLANT'S DESIGNATION OF APPENDIX CONTENTS**

Appellant, pursuant to Sixth Circuit Rule 28(d), hereby designates the following filings in the district's record as items to be included in the joint appendix.

DESCRIPTION OF ENTRY	DATE	RECORD ENTRY NO.
Docket Sheet		
Complaint	6/29/00	R.1
Deposition of Jeff Drago pp. 14-15, 20-21, 49-50, 69-71, 85-86, 92-94, 97-98, 100-101	7/18/01	R. 15(a)
Motion by Defendant Procter & Gamble for Summary Judgment	9/4/01	R. 21
Deposition of Tonya King pp. 7, 23, 28, 56; ex. 1	10/18/01	R. 28(b)
Deposition of Patrick Tewksbury pp. 6-7, 23, 41-42, 47-48, 50-51, 58-64, 67, 71-72, 80, 93-94, 97-98	10/18/01	R. 28(c)
Deposition of Barbara Lancor pp. 9, 26, 52-56	10/18/01	R. 28(d)
Deposition of Kim Zimmer pp. 6, 9-10	10/18/01	R. 28(e)
Deposition of Joseph L. Beer pp. 9, 10, 44; ex. 1	10/18/01	R. 28(f)
Deposition of Ray Maynard pp. 9, 29	10/18/01	R. 28(i)
Deposition of Mary O'Rourke pp. 8, 22-26	10/18/01	R. 28(j)
Deposition of Thomas Brown pp. 13, 45	10/18/01	R. 28(k)
Plaintiff's Memorandum in Opposition to Motion for Summary Judgment Exs. 4, 5	10/18/01	R. 30

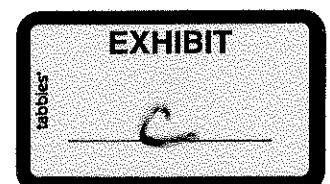


Opinion and Order	7/12/02	R. 39
Judgment	7/12/02	R.40
Notice of Appeal	8/9/02	R.41
Deposition of Raul M. Espitia pp. 16, 55, 57, 118-119, 121-122, 124-126, 130-132, 135-137, 150, 152-153, 155-158, 163, 200-204, 214-215, 221-226, 230, 234, 293		R. (Under consideration for inclusion in the record by the District Court)

ADDENDUM B**APPELLEE'S DESIGNATION OF APPENDIX CONTENTS**

Pursuant to Sixth Cir. R. 28(d) and 30(b), Appellee hereby designates the following filings in the district court record as items to be included in the joint appendix.

<u>Description of Entry</u>	<u>Date</u>	<u>Record Entry No.</u>
Docket Sheet		
Complaint	6/29/00	1
Order and Judgment	7/12/02	39 & 40
Notice of Appeal	8/9/02	41
Deposition of Jeff Drago	7/18/01	15(a)
Motion for Summary Judgment by Defendant Procter & Gamble Co. with exhibits	9/4/01	21
Deposition of Tonya King	10/18/01	28(b)
Deposition of Patrick Tewksbury	10/18/01	28(c)
Deposition of Barbara Lancor	10/18/01	28(d)
Deposition of Kim Zimmer	10/18/01	28(e)



Deposition of Joseph Beer	10/18/01	28(f)
Deposition of Steve Lighthall	10/18/01	28(h)
Deposition of Ray Maynard	10/18/01	28(i)
Deposition of Mary O'Rourke	10/18/01	28(j)
Deposition of Thomas Brown	10/18/01	28(k)
Memorandum by Plaintiff in Opposition to Motion For Summary Judgment with Exhibits	10/18/01	30
Reply by Defendant Procter & Gamble's to Response to Motion For Summary Judgment	11/2/01	34

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RAUL M. ESPITIA

Plaintiff,

v.

THE PROCTER & GAMBLE
COMPANY, et al.,

Defendants.

: Case No. C-1-00-531

: Judge Weber

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: **NOTICE OF DEPOSITION**
: **OF NANCY BESS**

:

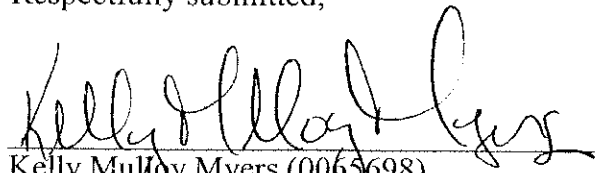
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Pursuant to Rule 30(b) of the F.R. Civ. P., Plaintiff Raul Espitia hereby gives notice for the taking of the deposition of NANCY BESS, upon oral examination at the offices of Freking & Betz, 215 East Ninth Street, Fifth Floor, Cincinnati, Ohio 45202, beginning at 2:00 p.m. on Tuesday, July 10, 2001, and continuing from day to day until completed.

In the event Defendant fails to produce prior to this date all documents responsive to outstanding document requests, if any, Plaintiff reserves the right to reconvene the deposition on a later date.

Respectfully submitted,



Kelly Mulloy Myers (0063698)

Randolph H. Freking (0009158)

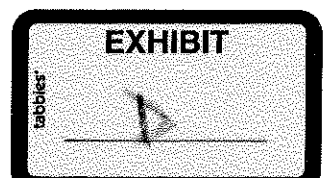
Trial Attorneys for Plaintiff

FREKING & BETZ

215 East Ninth Street, Fifth Floor

Cincinnati, OH 45202

(513) 721-1975



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RAUL M. ESPITIA

Plaintiff,

v.

THE PROCTER & GAMBLE
COMPANY, et al.,

Defendants.

: Case No. C-1-00-531

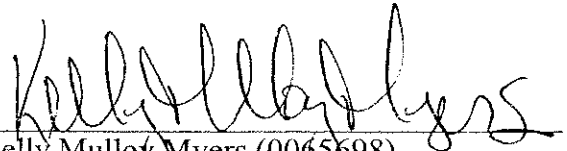
: Judge Weber

: **NOTICE OF DEPOSITION**
: **OF JIM SCARCELLA**

Pursuant to Rule 30(b) of the F.R. Civ. P., Plaintiff Raul Espitia hereby gives notice for the taking of the deposition *via telephone* of JIM SCARCELLA, upon oral examination at the offices of Freking & Betz, 215 East Ninth Street, Fifth Floor, Cincinnati, Ohio 45202, beginning at 3:00 p.m. on Friday, July 20, 2001, and continuing from day to day until completed.

In the event Defendant fails to produce prior to this date all documents responsive to outstanding document requests, if any, Plaintiff reserves the right to reconvene the deposition on a later date.

Respectfully submitted,



Kelly Mulloy Myers (0065698)

Randolph H. Freking (0009158)

Trial Attorneys for Plaintiff

FREKING & BETZ

215 East Ninth Street, Fifth Floor

Cincinnati, OH 45202

(513) 721-1975

United States District Court

SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RAUL M. ESPITIA

v.

SUBPOENA IN A CIVIL CASE

THE PROCTER & GAMBLE COMPANY, et al.

CASE NUMBER: C-1-00-531

TO: Nancy Bess
2601 Vera Avenue, #3
Cincinnati, OH 45237

____ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

XX YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

Law Offices of Freking & Betz
215 East Ninth Street, Fifth Floor
Cincinnati, OH 45202

July 10, 2001; 2:00 p.m.

____ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE

DATE AND TIME

____ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

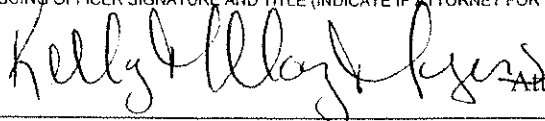
PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Plaintiff

July 6, 2001

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Kelly Mulloy Myers, FREKING & BETZ, 215 East Ninth Street, Fifth Floor, Cincinnati, OH 45202; 513-721-1975